

House File 2397 - Introduced

HOUSE FILE 2397
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 2265)

A BILL FOR

1 An Act relating to the admissibility of evidence of an
2 employee's criminal history in civil actions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 employee in any of the following circumstances: the nature of
2 the criminal history does not bear a direct relationship to the
3 facts underlying the cause of action; before the occurrence
4 of the act giving rise to the civil action, a court ordered
5 the record of any criminal case sealed or the president of the
6 United States or the chief executive of a state pardoned the
7 employee or former employee; the record is of an arrest or
8 charge that did not result in a criminal conviction; or a court
9 granted the employee or former employee a deferred judgment at
10 sentencing and a court did not revoke the deferred judgment.

11 The bill does not alter any statutory provision allowing an
12 employer to conduct a criminal history background investigation
13 or consider criminal history records in the employment process
14 for particular types of employment. The bill also does not
15 create a duty for employers not otherwise so required by law to
16 conduct criminal history background checks.